

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

Translation

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference

031247WO

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/EP2004/003396

International filing date (day/month/year)

31.03.2004

Priority date (day/month/year)

03.04.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

OTTO JUNKER GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

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International application No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. II

Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-13</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1-13</u>	YES
	Claims _____	NO
Industrial applicability (IA)	Claims <u>1-13</u>	YES
	Claims _____	NO

2. Citations and explanations:

- 1 This opinion makes reference to the following documents:

D1: DE 198 30 485 A (WIELAND WERKE AG)

13 January 2000 (2000-01-13)

D2: DE 34 44 507 A (KLEFISCH RUDOLF)

12 June 1986 (1986-06-12)

D3: EP 0 997 541 A (RHEINFELDEN ALUMINIUM GMBH)

3 May 2000 (2000-05-03)

D4: EP 1 124 997 A (RHEINFELDEN ALUMINIUM GMBH)

22 August 2001 (2001-08-22)

D5: DE 32 17 794 A (KLEFISCH RUDOLF)

24 November 1983 (1983-11-24)

- 2 Document D1 is regarded as the closest prior art. It discloses a method for annealing and internally coiling copper pipe coils, the copper pipe coils being arranged in annealing frames stacked on top of one another as the coils pass through an annealing furnace. The stacking and unstacking of the annealing frames is possible in fully automated fashion, and the subject matter of the independent claim 1 differs from this by virtue of the fact that releasable connections between individual parts of

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Box No. V

Reasoned statement under Rule 43bis 1(a)(i) with regard to novelty, inventive step or industrial applicability:
citations and explanations supporting such statement

the annealing frames are mentioned and there is provision for the annealing material to be secured in the annealing frame.

2.1 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

2.2 The solution to this problem proposed in claim 1 of the present application involves an inventive step (PCT Article 33(3)) for the following reasons: the invention is based on the object of configuring an annealing frame of the type described, especially for conveying moulded aluminium parts during a heat treatment process, in such a way that annealing material having the most different shapes can be accommodated in a non-tipping and slip-proof manner during the conveying. In an annealing frame of the type described in the introduction, the object is achieved by virtue of the fact that it comprises at least one annealing frame element that is provided with at least one annealing basket which can be placed therein and can be adapted to the annealing material. Dividing the annealing frame in two into the annealing frame element, on the one hand, and the annealing basket(s), on the other hand, makes it easy for material to be annealed to be reliably placed into the annealing basket and then placed together with the latter in the annealing frame element.